MINUTES SANDY CITY COUNCIL MEETING

Sandy City Hall - Council Chamber Room #211 10000 Centennial Parkway Sandy, Utah 84070

December 12, 2006

Meeting was commenced at 7:05 p.m.

PRESENT:

<u>Council Members</u>: Chairwoman Linda Martinez Saville, Vice Chairman Dennis Tenney, Bryant Anderson,

Scott Cowdell, Steve Fairbanks, Chris McCandless, and Stephen Smith

Mayor: Tom Dolan

Others in Attendance: CAO Byron Jorgenson; City Attorney Walter Miller; Community Development Director Mike Coulam; Planning Director George Shaw; Public Utilities Director Shane Pace; Public Works Director Rick Smith; Deputy to the Mayor John Hiskey; Contract Attorney Pat Casaday; Council Office Director Phil Glenn; Council Executive Secretary Pam Lehman

1. **OPENING REMARKS/PRAYER/PLEDGE**:

The Prayer was offered by **Boy Scout Eric Borland of Troop #839**, and the Pledge was led by **Tanner Hale**, also of **Troop #839**.

2. CITIZEN(S) COMMENTS:

a. There were no citizen comments.

PUBLIC HEARING(S):

3. Verna Larson Annexation

Public Hearing to consider the annexation request of Mr. Chan Maxfield, in behalf of Verna Larson, for property located at approximately 963 East 8600 South Sandy, Utah. The area under consideration for annexation comprises approximately 2.5 acres. The applicant has proposed to annex this property into the City with the R-1-8 Zone (single-family residential min. 8,000 square foot lots.)

DISCUSSION: Planning Director George Shaw reported that Mr. Chan Maxfield, representing Verna Larson, is requesting annexation (without petition) for property located at the above address. The area under consideration for annexation comprises approximately 2.50 acres. The applicant is proposing to annex this property to the City and is requesting the R-1-8 Zone (single family residential on minimum 8,000 square foot lots). The intent of the request is to accommodate a proposed subdivision on the property, which would create eight new building lots in addition to a lot for the existing Larson home. Two lots would front 8600 South with the balance being accessed by connecting two existing stub streets on the north and west (8560 South and 960 East).

The subject property is bordered on the north by the Merewood #2 Subdivision, on the east by deep lots that front 1000 East, on the south by 8600 South, and on the west by the Merewood #1 Subdivision.

Analysis

The annexation is being considered by the City for the following reasons:

- 1. The area is **contiguous** to the Sandy City boundary (north, southeast, south, and west).
- 2. Annexation of the property would close a portion of a small 'county island.'
- 3. The property is located within an area designated in the **Sandy City General Plan** for incorporation.
- 4. The City is presently providing culinary water service and fire service to this area.
- 5. The City can provide a high level of other **municipal services** to this property.

General Plan

Portions of the **Sandy City General Plan** which relate to this application are as follows:

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- p.43 Recognize that economics alone is not sufficient reason to alter established neighborhoods. Human and environmental impacts also should be recognized.
- p.44 Require proposed zoning changes to be in harmony with established neighborhoods.

Zoning

The subject property is currently zoned A-1 in Salt Lake County. This zone allows single family dwellings on minimum 10,000 square foot lots and animal rights on minimum one acre lots. The zone also allows duplexes on minimum 10,000 lots with conditional use approval.

The existing City zoning in the area includes **SD(R-1-7)** to the north and west, **R-2-10** to the southeast, and **R-1-8** to the south across 8600 South. The requested zoning for the subject property is R-1-8. The lots within the proposed subdivision would need to comply with the 8,000 square foot lot minimum requirement for a standard subdivision. Review and approval of the proposed subdivision will be subject to the City Council review and adoption of the annexation request.

Staff/Planning Commission Recommendation

Planning Commission Recommendation: The Commission reviewed this annexation proposal on November 16, 2006. A motion was made to unanimously recommend approval of the annexation and the proposed R-1-8 Zone based upon the following findings:

- 1. The area is **contiguous** to the Sandy City boundary (north, southeast, south, and west).
- 2. Annexation of the property would close a portion of a small 'county island.'
- 3. The property is located within an area designated in the *Sandy City General Plan* for incorporation.
- 4. The City is presently providing culinary **water service** and **fire service** to this area.
- 5. The City can provide a high level of other **municipal services** to this property.
- 6. R-1-8 Zone is appropriate for the property based upon surrounding zoning and land uses.

Jan Maxfield, 2932 Wasatch Road, Evanstan Wyoming, brother of the property owner Verna Larsen, stated that they believe the proposed annexation and rezone of the property would provide the best possible land use and allow the property to be developed to its full potential.

Chairwoman Linda Martinez Saville opened then closed the public hearing as there were no comments.

Dennis Tenney noted that the adoption of the annexation and rezoning would take place once the County formally approves the annexation request.

MOTION: Dennis Tenney made the motion to have documents bought back to annex property located at

approximately 963 East 8600 South, Sandy, Utah and to rezone approximately 2.5 acres of

property to the R-1-8 Zone (single-family residential min. 8,000 square foot lots.)

SECOND: Chris McCandelss

VOTE: Tenney- Yes, McCandless- Yes, Cowdell- Yes, Fairbanks- Yes,

Smith- Yes, Anderson-Yes, Saville- Yes

Motion Approved: All in Favor

4. Prince /Pulsipher Annexation

Public Hearing to consider the annexation request of Mr. Alan Prince for the Larry Pulsipher property, located at approximately 2100 East 10800 South Sandy, Utah. The area under consideration for annexation comprises approximately 2.976 acres. The applicant has proposed to annex this property into the City with the R-1-20 Zone (single-family residential min. 20,000 square foot lots).

DISCUSSION: Planning Director George Shaw reported that Mr. Alan Prince is requesting that the former Larry Pulsipher property, located at approximately 2100 East 10800 South, Sandy, Utah, be annexed to the City. The area under consideration comprises approximately 2.976 acres. The applicant is proposing to annex this property

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to the city with the R-1-20 Zone (single family residential on minimum 20,000 square foot lots). The intent of the requested annexation and zoning is to accommodate the five lot Melissa's Grove Subdivision recently approved by Salt Lake County.

Analysis

On October 26, 2004, the City Council passed a **resolution** permitting this annexation to proceed through the annexation process. The proposed annexation meets the provisions of the state annexation law for annexations of this type. The annexation is being considered by the City for the following reasons:

- 1. The area is **contiguous** to the Sandy City boundary (on the east and south).
- 2. Annexation of the property would close a portion of a 'county island.'
- 3. The property is located within an area designated in the *Sandy City General Plan* for incorporation.
- 4. The City is presently providing culinary water service and fire service to this area.
- 5. The City can provide a high level of other **municipal services** to this property.

General Plan

Portions of the **Sandy City General Plan** which relate to this application are as follows:

- p. 43 Recognize that economics alone is not sufficient reason to alter established neighborhoods. Human and environmental impacts also should be recognized."
- p. 44 "Require proposed zoning changes to be in harmony with established neighborhoods."

Zoning

The subject property is currently zoned **R-1-21** in Salt Lake County. This zone allows single family dwellings on minimum one-acre lots with animal rights. The existing city zoning in the area includes **R-1-20A** to the east, and **R-1-20** to the south.

The requested R-1-20 Zone for the property would match the lot sizes of the approved five lot Melissa's Grove Subdivision. These subdivision lots are all in excess of $\frac{1}{2}$ acre in size. This subdivision will be accessed with a private drive from Dimple Dell Road.

<u>Staff/Planning Commission Recommendation</u>: The Commission reviewed this annexation proposal on November 2, 2006. A motion was made to unanimously recommend approval of the annexation and the proposed R-1-20 Zone based upon the above findings.

It is recommended that the Pulsipher/Prince Annexation be approved and zoned R-1-20 based upon the following findings:

- 1. The subject property is **contiguous** to the existing Sandy City boundary.
- Annexation of the property would close a small portion of a 'county island.'
- 3. The property is located within an area designated in the City's *General Plan* for incorporation.
- 4. The City is presently providing culinary water service and fire service to this area.
- 5. The City can provide a high level of other **municipal services** to this property.
- 6. **R-1-20** zoning is appropriate for the property based upon surrounding land uses, zones, 'master plan' recommendations, and the size of the proposed subdivision lots.

Alan Prince, Developer and owner of the Melissa Grove Development, expressed concern on how services would be provided to both the new city residents and the adjacent homeowners wishing to remain in the County.

Chairwoman Saville opened and closed the Public Hearing as there were no comments.

Dennis Tenney asked Public Works Director Rick Smith if the City could provide services for residents living on the private lane.

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Rick Smith stated that the residents living on this private lane would be required to take their garbage receptacles out to the public roadway. Negotiations would need to take place between the residents and a private contractor for snow removal on the private lane since services would not be provided by the City. A private contractor would also be needed for upkeep and maintenance on the private lane.

Linda Saville suggested that Mr. Prince meet with Mr. Smith to clarify what services the City could provide to the residents.

Chris McCandless noted that these issues would be addressed during the subdivision review process.

Scott Cowdell asked if the City could provide services [garbage /snow removal] to the residents once the annexation takes place.

George Shaw explained that the access point into the new development is currently in the County.

Rick Smith noted that if the private lane was dedicated, and built to City standards, as a public access, the City could then provide services to the homeowners. **Mr. Prince**, however, indicated the lane would be private.

Wally Miller asked Mr. Prince if he supported the annexation. Mr. Prince stated "yes".

Mr. Miller explained that the annexation request would need to be approved by the County.

MOTION: Dennis Tenney made the motion to have formal documents bought back approving the

annexation request of Mr. Alan Prince for the Larry Pulsipher property, located at approximately 2100 East 10800 South Sandy, Utah comprising of approximately 2.976 acres with the R-1-20

Zone (single-family residential min. 20,000 square foot lots).

SECOND: Chris McCandless

VOTE: Tenney- Yes, McCandless- Yes, Cowdell- Yes, Fairbanks- Yes,

Smith- Yes, Anderson-Yes, Saville- Yes

Motion Approved: All in Favor

5. Trapp/Ivory Homes Annexation

Public Hearing to consider the annexation request of Mr. Jon McGuire for the Trapp and Wallin properties, located at approximately 2058 East Dimple Dell Road Sandy, Utah. The area under consideration for annexation comprises approximately 3.97 acres. The applicant has proposed to annex this property into the City with the R-1-20 A Zone (single-family residential min. 20,000 square foot lots, with animal rights.)

DISCUSSION: Planning Director George Shaw reported that Mr. Jon McGuire, of Ivory Development, is requesting that 3.97 acres of property (the James & Patricia Trapp and Richard & Marilyn Wallin properties), located at approximately 2058 East Dimple Dell Road, Sandy, Utah, be annexed to the City. The area under consideration comprises approximately 3.97 acres. The applicant is proposing to annex this area to the city with the R-1-20A Zone (single family residential on minimum 20,000 square foot lots with animal rights). The intent of the requested annexation and zoning is to accommodate the proposed five lot Dimple Dell Farms Subdivision.

Analysis

On October 10, 2006, the City Council passed a **resolution** permitting this annexation to proceed through the annexation process. The proposed annexation meets the provisions of the state annexation law for annexations of this type. The annexation is being considered by the City for the following reasons:

- 1. The area is **contiguous** to the Sandy City boundary on the southeast (with the approval of the Pulsipher/Prince Annexation).
- 2. Annexation of the property would close a portion of a 'county island.'
- 3. The property is located within an area designated in the **Sandy City General Plan** for incorporation.
- 4. The City is presently providing culinary water service and fire service to this area.
- 5. The City can provide a high level of other **municipal services** to this property.

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General Plan

Portions of the Sandy City General Plan which relate to this application are as follows:

- p. 43 Recognize that economics alone is not sufficient reason to alter established neighborhoods. Human and environmental impacts also should be recognized."
- p. 44 "Require proposed zoning changes to be in harmony with established neighborhoods."

Zoning

The subject property is currently zoned **R-1-21** in Salt Lake County. This zone allows single family dwellings on minimum one-acre lots with animal rights. The existing city zoning in the area includes **R-1-20A** further to the east, and **R-1-20** further to the south.

The requested R-1-20A Zone for the property would accommodate the lot sizes of the proposed Dimple Dell Farms Subdivision. These subdivision lots range from 27,208 square feet up to 60,944 square feet, all well in excess of ½ acre in size. This subdivision is proposed to be accessed with a private drive from Dimple Dell Road.

Staff/Planning Commission Recommendation

It is recommended that the Trapp/Ivory Development Annexation be approved and zoned R-1-20 based upon the following findings:

- 1. The subject property is **contiguous** to the existing Sandy City boundary with the approval of the Pulsipher/Prince Annexation.
- 2. Annexation of the property would close a small portion of a 'county island.'
- 3. The property is located within an area designated in the City's *General Plan* for incorporation.
- 4. The City is presently providing culinary water service and fire service to this area.
- 5. The City can provide a high level of other **municipal services** to this property.
- 6. **R-1-20A** zoning is appropriate for the property based upon surrounding land uses, zones, 'master plan' recommendations, and the size of the proposed subdivision lots.

Gonzolo Stevens, representative from Ivory Development, reported that he had just been assigned to the project, but would be willing to answer any questions the Council may have.

Chairwoman Saville opened then closed the Public Hearing as there were no further comments.

Chris McCandless asked Mr. Shaw if there was a roadway on both sides of the Pulsipher property.

George Shaw reported that the Pulsipher property provides for a right- of- way on a private lane. He stated that there is no perfect solution where in-fill lots are concerned, but that the Planning Department is working to find the best solution possible for this parcel of property.

Mike Coulam reported that they asked Ivory Homes to use the same access for their future development, but the residents were not in favor of that proposal. He noted that the west access would eventually become a public road once the development is completed. He stated that the Development Committee would review the current proposal for the roadway.

Steve Fairbanks asked Wally Miller if he perceived that the County would have any oppositions to the proposed annexations.

Wally Miller indicated that the County was in support of the parcels being annexed into Sandy.

MOTION:

Chris McCandless made the motion to have documents bought back approving the annexation request of Mr. Jon McGuire for the Trapp and Wallin properties, located at approximately 2058 East Dimple Dell Road Sandy, Utah. The area under consideration for annexation comprises approximately 3.97 acres. The applicant has proposed to annex this property into the City with the R-1-20 A Zone (single-family residential min. 20,000 square foot lots, with animal rights.)

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SECOND: Steve Smith

VOTE: McCandless - Yes, Smith - Yes, Tenney- Yes, Cowdell- Yes, Fairbanks- Yes,

Anderson-Yes, Saville-Yes

Motion Approved: All in Favor

COUNCIL ITEMS:

6. Interlocal Agreement: Transfer of Water Services

Resolution #06-91 C - authorizing the execution of an Interlocal Cooperation Agreement between Murray City and Sandy City for the transfer of water services.

MOTION: Steve Fairbanks made the motion to adopt Resolution #06-91 C, authorizing the execution of an

Interlocal Cooperation Agreement between Murray City and Sandy City for the transfer of water

services.

SECOND: Dennis Tenney

VOTE: Tenney- Yes, Fairbanks-Yes, Smith - Yes, McCandless- Yes, Cowdell- Yes,

Anderson-Yes, Saville-Yes

Motion Approved: All in Favor

7. Appointments: Council Chairman and Council Vice Chairman

Resolution #06- 100 C - appointing a Council Chairman and Vice Chairman to serve a term beginning January 1, 2007, and ending June 30, 2007.

MOTION: Dennis Tenney made the motion to adopt Resolution #06-100 C, appointing Dennis Tenney

as the Council Chairman and Bryant Anderson as the Vice Chairman to fill a term beginning

January 1, 2007 and ending June 30, 2007.

SECOND: Scott Cowdell

VOTE: Tenney- Yes, Cowdell - Yes, McCandless- Yes, Cowdell- Yes, Fairbanks- Yes,

Smith- Yes, Anderson-Yes, Saville- Yes

8. Appointments: Council Member Appointments to Various Committees, Boards & Commissions

Resolution #06- 101 C - appointing Council Members to serve as Council Liaison on various committees, boards and commissions.

MOTION: Scott Cowdell made the motion to adopt Resolution #06-101 C, appointing Council Members to serve on various Citizen Committees, Boards, and Commissions as follows:

1.	The Orchestra & Chorus of Sandy City	Bryant Anderson
2.	Arts Guild	Brvant Anderson

- 4. Beautification CommitteeLinda Martinez Saville
- 5. Board of AdjustmentLinda Martinez Saville

- 8. Civic Center Architectural Review CommitteeSteve Smith /Chris McCandless
- 9. Community Response Team Advisory Committee.....Scott Cowdell
- 10. Dimple Dell Advisory Board*County Appointment*
- 11. Healthy Sandy Steering Committee......Steve Fairbanks/Linda Martinez Saville/Steve Smith
- 12. Historic Committee.......Scott Cowdell

- 17. Recreation Trails CommitteeLinda Martinez Saville/Chris McCandless
- 18. Sandy City Employees' AssociationScott Cowdell

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20.	Sandy Club "A Safe Place for Boys & Girls"	Scott Cowdell/Steve Fairbanks/Chris McCandless
21.	Senior Center Advisory Council	Scott Cowdell
22.	Transportation Committee	Chris McCandless/ Steve Fairbanks
23.	ULCT Legislative Policy Committee	Bryant Anderson/Dennis Tenney/ Chris McCandless
	(*Annual Appointment made by the League*)(3rd Mor	nday during Session every Mon.)
24.	Association of City Councils	Dennis Tenney
25.	COG Representative	Bryant Anderson
	(*One Year appointment - January to January)	•

SECOND: Chris McCandless

VOTE: Cowdell - Yes, McCandless - Yes, Smith - Yes, Tenney- Yes, Fairbanks- Yes,

Anderson-Yes, Saville-Yes

Motion Approved: All in Favor

9. Council Meeting Cancellations

Resolution #06- 102 C - canceling the December 19, 2006, and the December 26, 2006, City Council Meetings.

MOTION: Scott Cowdell made the motion to adopt Resolution #06-102 C, canceling the December 19, 2006, and the

December 26, 2006, City Council Meetings.

SECOND: Dennis Tenney

VOTE: Cowdell - Yes, Tenney- Yes, McCandless- Yes, Fairbanks- Yes, Smith- Yes, Anderson-Yes, Saville- Yes

Motion Approved: All in Favor

10. Report on Youth After School Programs Seminar at Reno National League of Cities Meeting

DISCUSSION: Chris McCandless reported on a seminar he and Steve Fairbanks attended with the National League of Cities on Youth After School Programs. He reported briefly on the Youth Program offered by Baton Rouge, and an encyclopedia that they have published listing all the entities, businesses, and facilities that assist in their Youth programs. Mr. McCandless reported that various cities coordinate the use of facilities and programs with the school districts and ecclesiastical leaders in their communities. Mr. McCandless felt that our community should determine the various programs that are available, then look at existing facilities to house after school programs.

He reported that various communities have hired liaisons to work exclusively on providing youth services in their communities. This has proved to be very successful. Mr. McCandless would like the Administration to take an inventory of programs that are available then come back with more detailed recommendations for the Council to discuss. He stated that this was a very worthwhile seminar.

Steve Fairbanks indicated that the National League of Cities has recommended that cities adopt the After School Program by proclamation. He stated that he presented a copy of the sample proclamation to Mr. Glenn. He noted that an issue that was bought up at the seminar was how productivity at the work place declines around 3:00 p.m., as the working parents' focus is turned towards their children when they are out of school and on their own. He felt that implementing programs for youth would benefit the entire community especially if school districts and businesses joined together to implement programs for the youth. This common goal would benefit the entire community. He reported that some communities have hired school teachers to stay after school to help run these programs.

Mr. Fairbanks stated that in order for Sandy to implement a similar program, it would require an inventory of what type of programs are available. It would also be critical to have the support and cooperation of the school district.

Scott Cowdell stated that he is aware of various after school activities that are already held in the Jordan School District since he worked for them more than 30 years. He felt that a major hurdle would be coordinating all the programs that are held after school. He also felt that an inventory of resources from the City, State, and County should be taken as many of these programs overlap each other.

Linda Martinez Saville asked if Salt Lake City's After School Program was mentioned at the seminar. She noted that Mayor Rocky Anderson has received notoriety on a national level on the successes of their Youth Club.

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Chris McCandless stated that they did mention Salt Lake City's Youth Program. He indicated that he would like the Council to visit their facility to see what type of programs they sponsor and how the operation of their facility is set-up.

Bryant Anderson noted that there are several activities for youth that are provided by the private business sector. He noted one example, The Living Planet Aquarium which invites high school students to intern at their facility.

MINUTES:

11. Approving the **November 21, 2006** and the **December 5, 2006** City Council Meeting Minutes.

MOTION: Dennis Tenney made the motion to approve the November 21, 2006 and the December 5, 2006 City Council

Meeting Minutes as written.

SECOND: Bryant Anderson

VOTE: The Council responded verbally in the affirmative to the motion.

12. MAYOR'S REPORT

a. **Mayor Dolan** reported on the success of Sandy City's first Christmas Concert that was held at the Sandy Expo Center on Monday, December 11th. He stated that there were many wonderful performers, and over 1300 people attended the event. He indicated that comments have been very favorable in making this an annual Christmas tradition for the City.

b. **Linda Martinez Saville** expressed appreciation to the Mayor and Administration for the wonderful food and prizes that were given out at the Annual Employees' Christmas Luncheon that was held earlier in the day.

Mayor Dolan noted that Councilwoman Linda Martinez Saville received her 10-year service award at the luncheon. Several employees were awarded five, ten, fifteen, and twenty year service awards. He noted that eight employees also received their 30 year service awards. Mayor Dolan commented that this year's Employees' Luncheon was one of the best attended luncheons by all the City Employees.

13. CAO'S REPORT

a. No report was given.

14. COUNCIL OFFICE DIRECTOR'S REPORT

a. **Phil Glenn** reported that **Council Office Manager Naleen Wright** also received her 20 year service award from the City at the Employee Christmas Luncheon. Mr. Glenn presented copies of the monthly calendar to the Council. He reminded them of the upcoming City Council Christmas Dinner scheduled for Tuesday, December 19, 2006, at Spaghetti Mama's. He reminded the Council to also bring a white elephant to the party.

15. OTHER COUNCIL BUSINESS

a. Steve Smith mentioned an article that he read in a local newspaper regarding an initiative that is underway by a group of County residents to preserve mobile home parks. He asked what type of impact this action could have on Sandy's mobile home residents.

Wally Miller explained that a movement is underway by some mobile park residents who are looking to establish a state wide federation where mobile home dwellers have the right to own the property in the park. Mr. Miller explained that the residents are under constant pressure to be displaced from their homes as land values increase and developers express interest in purchasing these properties.

- b. **Scott Cowdell** asked the Council to consider the possibility of implementing a new voting process for nominating the City Council Chairman and Vice Chairman every six months. Mr. Cowdell suggested that appointments to these positions should follow an order of seniority on the Council. Currently, the City Council, by vote, appoints a Chairman and Vice Chairman every six months. The individual who is voted as the Vice Chairman steps in as Chairman once the six-month term has ended. He believes a seniority system would provide a better opportunity for all members to serve as the Council Chairman.
- c. **Dennis Tenney** gave a brief report on the recent National League of Cities Conference that was held in Reno, Nevada last week. He reported that he serves on the Community Economic Development Committee, and the International

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Task Force. He reported that housing was the major topic of discussion at the conference. Mr. Tenney noted that he presented a packet of information to Mr. Glenn regarding housing assistance for municipal employees. He stated that there were some great ideas discussed, and that he would like this issue discussed further with the Council and Administration during an upcoming City Council Meeting.

- d. **Dennis Tenney** requested that a discussion be scheduled pertaining to the number of occupants that can legally dwell in a single family residence, particularly rental homes.
- e. **Steve Fairbanks** reported on a meeting he attended with the Utah League of Cities Election Sub-Committee regarding the electronic voting system. Even though the State has been very pro-active in implementing the new system, they neglected to address issues pertaining to a service maintenance contract, and who the responsible parties are for payment of the maintenance contract. The concern is that the burden will be placed back on the taxpayer's shoulders. The cost to fund the electronic voting system is three times more costly than the old voting system. The Election Sub-Committee is recommending that the Primary Election date be changed from October to September to provide adequate time to tally ballots and reprogram the machines. The Committee is also recommending that changes be made to State Law to combine voting precincts.

At approximately 8:10 p.m., Chairwoman Linda Martinez Saville made a motion to adjourn Council Meeting, motion seconded by Dennis Tenney .

minutes are a brief overview of what occurred at the meeting.				
Linda Martinez Saville	Pam Lehman			
Council Chairwoman	Council Office Executive Secretary xm121206.min			

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These